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Index: Environment

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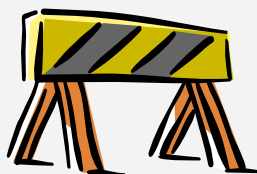
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Soil Erosion and Sedimentation Control Compliance Process

Being an authorized public agency (APA) for soil erosion and sedimentation control (SESC) comes with a responsibility to develop and implement a MDEQ-approved program that complies with state statute and rules governing SESC and storm water runoff from construction sites. MDOT's approved program relies on information contained in a variety of documents to fulfill this requirement. These include the standard specifications, Soil Erosion and Sedimentation Control Manual, plan sheets, and special provisions. **Requirements contained in these contract documents are intended to ensure compliance with the state statutes and rules.**

The potential for and the impacts from erosion and sedimentation are considered as project plans are developed. When everything goes according to the plans, impacts will be limited and enforcement efforts will be minimal. When the pace of construction picks up, nature refuses to cooperate, or attention to detail otherwise begins to slip, oversight efforts must be stepped up.

MDOT SESC COMPLIANCE PROCESS
Refer to Section 4.1 of the MDOT SESC Manual for specific compliance and enforcement guidance broken down by severity of the deficiencies.

Minor deficiencies include the need for periodic repair, replacement, or relocation of SESC measures identified on the plans to improve their effectiveness.

Moderate and continuing deficiencies include the need to frequently remind the contractor about SESC maintenance and sediment removal.

Severe and non-responsive deficiencies include those that result in continuing loss of sediment off the right-of-way or to the waters of the state after the contractor has been made aware of the problem and has been given the opportunity to bring the site into compliance.

The most effective compliance tools are INSPECT, CORRECT, and DOCUMENT.
- Conduct required inspections of all disturbed areas of the project.
- Identify opportunities to fine tune the location or dimensions of SESC measures specified on the plans in an effort to minimize erosion and more effectively capture sediment.
- Document locations needing corrective action or maintenance of existing measures and provide specific timeframes for completing the work.
- Remind the contractor of the requirement for daily maintenance of

all SESC measures on the project.

➢ Snap a few pictures to put site conditions into perspective when contacting C&T or region staff to discuss methods to improve site specific soil erosion and sedimentation control.

➢ Document that the modifications or corrective actions are completed within the statutory and MDOT-imposed timeframes.

➢ Provide feedback to both contractor and development staff to encourage continual program improvement.

➢ Verify that all disturbed areas are adequately stabilized.

Once the disturbed areas have been stabilized, contact your Region Resource Analyst or SESC coordinator to arrange for a site review to determine if the vegetation or other permanent erosion control measures are adequate to ensure resistance to soil erosion, sliding or other earth movement. Only then should the project office authorize submittal of the NPDES notice of termination for the project.

MDEQ PROGRESSIVE COMPLIANCE PROCESS
If it becomes necessary for the MDEQ to get involved, as with a citizen complaint resulting from real or perceived SESC violations at the site, the process charted in Section 4.3 of the SESC Manual should be followed.